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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,718	11/11/2003	Hein Vodinh	200011.00001	9971

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EXAMINER

TORRES, ALICIA M

ART UNIT PAPER NUMBER

3671

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/706,718

Applicant(s)

VODINH, HEIN

Examiner

Alicia M Torres

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-20 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 15, 16, 21 and 22 is/are rejected.
- 7) ☒ Claim(s) 3-14 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/11/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson.

3. In regards to claim 21, Wilson discloses an apparatus for combining two rakes, said apparatus comprising:

a first sleeve (15) adapted to be secured to a first rake handle (31); and

a second sleeve (15) pivotally connected to said first sleeve (15) and adapted to receive a second rake (30), wherein said second sleeve (15) comprises a channel (hole in tab 25) for receiving a guide pin for allowing rotation of said second rake (30) within said second sleeve (15).

4. In regards to claim 22, Wilson discloses a device wherein the following method for combining two rakes is inherent, said method comprising the steps of:

securing a first cylindrical sleeve (15) to a first rake handle (31), wherein said first cylindrical sleeve (15) is pivotally connected to a second cylindrical rake sleeve (15);

inserting a second rake (30) into said second cylindrical sleeve (15);

connecting said second rake (30) to said second cylindrical sleeve (15) so that said second rake (30) is capable of rotating at least 180 degrees within said second sleeve (15).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson, as disclosed by applicant, in view of Ernst.

7. Wilson discloses a device for combining a pair of rakes, each rake having a handle connected to a rake head with tines, said device comprising:

a first sleeve (15) adapted to be secured to a first rake handle (31);

a second sleeve (15) pivotally connected to said first sleeve (15), as per claim 1; and

wherein said first sleeve (15) comprises at least one tightening screw (28) for securing said first sleeve (15) to a handle of a rake (31), as per claim 15.

However, Wilson fails to disclose a third sleeve adapted to be secured to a second rake handle;

wherein said second sleeve is adapted to receive said third sleeve and wherein second sleeve comprises means for permitting rotation of said third sleeve and said second rake handle within said second sleeve.

Ernst discloses a joint including a third sleeve (36, see figure 9) adapted to be secured to a second rake handle (24);

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wherein said second sleeve (18) is adapted to receive said third sleeve (36) and wherein the second sleeve (18) comprises means for permitting rotation of said third sleeve (36) and said second rake handle (24) within said second sleeve (18, see column 2, lines 31-34).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the third sleeve of Ernst on the device of Wilson in order to compensate for a difference in diameter between the handle and the sleeve.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Ernst as applied to claim 1 above, and further in view of Lawrence, as disclosed by applicant.

The device is disclosed as applied to claim 1 above. However, Wilson and Ernst fails to disclose wherein said second sleeve includes a guide pin mounted on an inside surface thereof.

Lawrence discloses a similar device wherein said second sleeve includes a guide pin mounted on a sleeve.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the guide pin of Lawrence on the device of Wilson and Ernst in order to lock two pieces together.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to mount the guide pin on the inside surface of the sleeve since it has been held that rearranging parts of an invention involves only routine skill in the art.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Ernst as applied to claim 1 above, and further in view of Kress et al., hereafter Kress.

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The device is disclosed as applied to claim 1 above. However, the combination fails to disclose wherein said third sleeve comprise at least one tightening screw for securing said third sleeve to a handle of a rake.

Kress discloses a similar device wherein the sleeve (11) comprises at least one tightening screw (31) for securing the sleeve (11) to a handle (16) of a rake.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the tightening screw of Kress on the device of Wilson and Ernst in order to interchange tools of a set.

Allowable Subject Matter

10. Claims 3-14 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 18-20 are allowed.

Conclusion

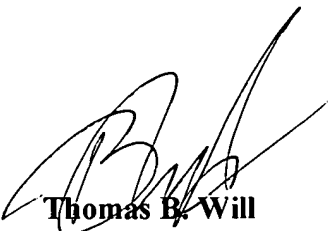
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maggio et al., Cox, and Erickson have been cited as of interest.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Torres whose telephone number is 703-305-6953. The examiner can normally be reached Monday through Thursday from 7:00 a.m. – 4:30 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached at 703-308-3870.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-1113. The fax number for this Group is 703-872-9306.



Thomas B. Will
Supervisory Patent Examiner
Group Art Unit 3671

AMT
June 24, 2004